

## Consideration of House Bill 4

Senator Hill moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee and by the Senate of H. B. No. 4 at any time during the remainder of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Ramsey
Fain	Shivers
Formby	Smith
Graves	Spears
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York

Absent—Excused

Moore

## Meeting of Committee of the Whole Senate

At 11:10 o'clock a. m., the President Pro Tempore announced the arrival of the hour for a meeting of the Committee of the Whole Senate, pursuant to the provisions of S. R. No. 19 and of the motion of Senator Hill adopted today.

The Senate resolved itself into a Committee of the Whole, and the President Pro Tempore requested Senator Weinert to act as Chairman of the committee.

Chairman Weinert called the committee to order.

The committee rose at 2:55 o'clock p. m.

## In the Senate

The Presiding Officer (Senator Weinert) called the Senate to order, as in legislative session, at 3:00 o'clock p. m.

## Adjournment

On motion of Senator Aikin, the Senate, at 3:00 o'clock p. m., adjourned until 10:00 o'clock a. m., tomorrow.

## FIFTEENTH DAY

(Thursday, February 6, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Winfield

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

## Leave of Absence Granted

Senator Winfield was granted leave of absence for today, on account of illness, on motion of Senator York.

## Senate Bills on First Reading

The following bills were introduced, read severally first time and referred by the President to the committees indicated:

By Senator Kelley:

S. B. No. 117, A bill to be entitled "An Act authorizing navigation districts created under any of the provisions of the Constitution or laws of this State in addition to the powers heretofore conferred by law to acquire, extend, construct, repair, build, develop and maintain certain improvements in aid of deep water navigation without taxation and to borrow money therefor from the Federal Government or any other source and to issue and deliver evidences of such indebted-

ness payable only out of the net revenues of the district and to encumber any of the properties and facilities and revenues of the district including those for which the funds are borrowed, all as additional security, providing remedies in case of default, to grant to the purchaser of said properties at foreclosure sale a franchise under stipulated terms and for not more than twenty years, and to enter into all necessary agreements to carry out the provisions hereof, providing that this Act shall not be construed as repealing any other laws of this State applicable to the subject matter hereof, providing for methods of procedure in creating the indebtedness and encumbering the properties to secure the same; and declaring an emergency."

To Committee on Mining, Irrigation and Drainage.

By Senator Brownlee:

S. B. No. 118, A bill to be entitled "An Act making an appropriation of Three Thousand Two Hundred Fifty (\$3,250.00) Dollars, or so much thereof as may be necessary to pay a certain final judgment rendered in Cause No. 53,909, in the 126th District Court of Travis County, Texas, wherein Caledonia Steel Company is plaintiff and The State of Texas and the State Highway Commission are defendants, rendered on the 28th day of November, A. D. 1938, in favor of said plaintiff, Caledonia Steel Company, against the said defendants, The State of Texas and the State Highway Commission, for the principal sum and face amount of Two Thousand Six Hundred Seventy-five and 10/100 (\$2,675.10) Dollars, with interest from date of said judgment, the 28th day of November, A. D. 1938, at the rate of six per cent (6%) per annum until paid, and all costs of suit, amounting to the sum of Sixteen and 30/100 (\$16.30) Dollars, payable out of the State Highway Funds, either for the current biennial or any other State Highway Funds, and being so appropriated out of said funds, so much of said funds not otherwise specifically appropriated as may be necessary to pay the sum claimed aforesaid, the said judgment being now a valid judgment obligation of record of The State of Texas and the State Highway Commission; and declaring an emergency."

To Committee on Finance.

By Senators Hazlewood and Brownlee:

S. B. No. 119, A bill to be entitled "An Act amending Article 1645, Revised Civil Statutes of Texas, 1925, as amended Acts 1927, Fortieth Legislature, First Called Session, page 104, Chapter 35, Section 1; as amended Acts 1929, Forty-first Legislature, First Called Session, page 62, Chapter 28, Section 1; as amended Acts 1931, Forty-second Legislature, Second Called Session, page 29, Chapter 15, Section 1; as amended Acts 1937, Forty-fifth Legislature, First Called Session, page 1826, Chapter 45, Section 3; as amended Acts 1939, Forty-sixth Legislature, Special Laws, page 595, Section 1; and amending Article 1646 of the Revised Civil Statutes of Texas, 1925, as amended Acts 1929, Forty-first Legislature, page 687, Chapter 308, Section 1; providing for the appointment of county auditors in certain counties; providing salaries for such county auditors and the method of fixing and payment of same; providing order fixing salary to be recorded in the minutes of the district court of the county and to be certified to commissioners court for recording in its minutes; providing for the repeal of all laws or parts of laws in conflict herewith; providing for a saving clause in the event any portion of this Act shall be held unconstitutional; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Lovelady:

S. B. No. 120, A bill to be entitled "An Act providing that the fee to be paid the county and district clerks in any suit in which final judgment or order is entered shall be not less than Five (\$5.00) Dollars; repealing all laws and parts of laws in conflict therewith; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Mauritz:

S. B. No. 121, A bill to be entitled "An Act amending Chapter 277, Acts of the Regular Session of the Forty-second Legislature as heretofore amended, by adding Sections 1a and 1b thereto; excepting from the definition of 'motor carrier' and 'contract carrier' certain persons, firms and corporations; exempting certain per-

sons, firms and corporations transporting under certain circumstances and conditions their own employees, property or property in which they have an interest as consignee or agent; defining a private motor vehicle owner; exempting private motor vehicle owners from said Act; providing for the repeal of all laws and parts of laws in conflict with this Act; providing that if any section, clause or provisions of this Act be held unconstitutional or invalid, it shall not affect the remaining portions; and declaring an emergency."

To Committee on Highways and Motor Traffic.

### Senate Resolution 30

Senator Hill offered the following resolution:

S. R. No. 30, Relative to investigation of Department of Public Welfare.

Whereas, On the 27th day of January, 1941, the Senate adopted Senate Simple Resolution No. 19, inviting the members of the Board of the State Department of Public Welfare and the Executive Director thereof to appear before the State Senate sitting as a Committee of the Whole Senate for the purposes set out in said resolution; and

Whereas, It now appears that said hearing will extend over a longer period than anticipated by the proponents of the resolution; and furthermore

Whereas, The Senate had requested the State Auditor to appear before the Senate sitting as a Committee of the Whole Senate to answer certain inquiries with regard to conduct of certain state affairs, and it has become necessary by reason of the inquiry into the affairs of the State Department of Public Welfare to postpone the hearing of the said Auditor, which said hearing is a matter of vital importance; now, therefore, be it

Resolved, That in order to expedite the hearing of the State Department of Public Welfare the Lieutenant Governor be and he is hereby authorized to appoint a committee of five members of the Senate to continue the hearing with regard to the State Department of Public Welfare. Said committee or a majority thereof is hereby directed and authorized to conduct a public hearing of the affairs of said Department, to subpoena and

swear witnesses, take testimony and do all things necessary to the conduct of said inquiry, to sit at such times and places as the committee may deem necessary and expedient, and the committee is hereby directed to make available to the members of the Senate a transcript of all testimony had by it in connection with the foregoing matter. Provided, however, that the powers delegated to the committee herein to conduct these hearings shall extend only through Thursday, February 6th, Friday, February 7th and Saturday, February 8th, and provided further that all hearings of said committee shall be held in the Senate Chamber or in one of the Committee Rooms of the Senate, and that no expense other than the expense heretofore provided for be incurred by said committee.

HILL,  
LOVELADY,  
FAIN.

The resolution was read and was adopted.

Accordingly, the President appointed Senators Hill, Lovelady, Fain, Isbell and Ramsey as members of the committee provided for in the resolution (S. R. No. 30).

### Message from the House

The President recognized the Assistant Reading Clerk of the House to present the following message:

Hall of the House of Representatives,  
Austin, Texas,  
February 6, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 12, A bill to be entitled "An Act repealing H. B. No. 26 of the Acts of the Regular Session of the Forty-fourth Legislature; and declaring an emergency."

H. B. No. 138, A bill to be entitled "An Act repealing House Bills numbered 945 and 946, enacted by the Forty-sixth Legislature of the State of Texas, pertaining to hunting and trapping on inclosed or uninclosed land of another in counties having a population of not less than fifteen thousand, one hundred forty-nine (15,149) and not more than fifteen

thousand, three hundred (15,300) inhabitants according to the last preceding Federal Census; and declaring an emergency."

H. B. No. 141, A bill to be entitled "An Act making it unlawful to kill or attempt to kill deer, bear, fox, or wild turkey or trap or molest same in Liberty County for a period of five years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

H. B. No. 142, A bill to be entitled "An Act making it unlawful to kill or attempt to kill bear, fox or wild turkey or molest same in Hardin County for a period of five years; providing a penalty; repealing all conflicting laws; and declaring an emergency."

H. B. No. 143, A bill to be entitled "An Act making it unlawful to hunt, take or kill any squirrel except during the months of October, November, and December in Liberty and Hardin Counties; providing for a penalty; repealing all conflicting laws; and declaring an emergency."

H. C. R. No. 33, Relative to adjourning from Thursday, February 6, 1941 to Monday, February 10, 1941.

The House has concurred in Senate amendments to H. B. No. 134 by a viva voce vote.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

#### House Concurrent Resolution 33

The President laid before the Senate for consideration at this time:

H. C. R. No. 33, Authorizing the Senate and/or House to adjourn from Thursday, February 6, 1941, until Monday, February 10, 1941.

The resolution was read and was adopted.

#### House Bills on First Reading

The following House bills, received from the House today, were laid before the Senate, read first time and referred to the committees indicated:

H. B. No. 141, to Committee on Game and Fish.

H. B. No. 142, to Committee on Game and Fish.

H. B. No. 143, to Committee on Game and Fish.

H. B. No. 12, to Committee on Game and Fish.

H. B. No. 138, to Committee on Game and Fish.

#### Consideration of Senate Bill 8 in Committee

Senator Chadick moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee of S. B. No. 8 at any time during the remainder of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Winfield

#### Report of Standing Committee

Senator Moffett, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
February 6, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

S. B. No. 13, A bill to be entitled "An Act granting to any city in the State bordering upon the Gulf of Mexico and now or hereafter having a population of sixty thousand (60,000) or more inhabitants, as shown by the next preceding Federal Census taken before any action under such Act is taken by such city, the right of use and occupancy for park purposes of tide lands and bed and waters of the Gulf of Mexico, etc."

Have had the same under consideration, and am instructed to report it back to the Senate with the recommendation that it do pass with amendments and be printed.

MOFFETT, Vice Chairman.

**Consideration of House Bill 140**

Senator Lanning moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee and by the Senate of H. B. No. 140 at any time during the remainder of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Winfield

**Report on House Bill 140**

Senator Lanning, by unanimous consent, submitted at this time the following report:

Austin, Texas,  
February 5, 1941.

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 140, A bill to be entitled "An Act authorizing the commissioners court in certain counties to allow each county commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as county commissioner; providing for the payment of the same; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

RAMSEY, Chairman.

**House Bill 140 on Second Reading**

On motion of Senator Lanning and by unanimous consent, Senate Rules 31a and 48 were suspended, and the regular order of business was suspended, to permit consideration of H. B. No. 140 at this time.

The President laid before the Senate on its second reading and passage to third reading:

H. B. No. 140, A bill to be entitled "An Act authorizing the commissioners court in certain counties to allow each county commissioner certain expenses in connection with the performing of the duties as road commissioner in addition to the duties as county commissioner; providing for the payment of same; and declaring an emergency."

The bill was read second time and was passed to third reading.

**House Bill 140 on Third Reading**

Senator Lanning moved that the constitutional rule requiring bills to be read on three several days be suspended and that H. B. No. 140 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Brownlee
Beck	Chadick

Cotten	Metcalf
Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Hill	Smith
Isbell	Spears
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert
Mauritz	York

Absent—Excused

Winfield

**Signing of Bill and Resolutions**

The President signed in the presence of the Senate, after their captions had been read, the following enrolled bill and resolutions:

S. B. No. 14, A bill to be entitled "An Act to amend Article 4006, of the Revised Civil Statutes of 1925, as amended by S. B. No. 269, page 334, Acts of 1939, Regular Session, Forty-sixth Legislature, so as to permit members of families of furloughed, pensioned, and superannuated employees to accept free passes on carriers, and repealing all laws and parts of laws in conflict herewith; providing a saving clause; and declaring an emergency and providing the Act shall take effect from and after its passage."

H. C. R. No. 27, Authorizing the lending by the State Highway Department of guard wire to Burkburnett Independent School District.

H. C. R. No. 29, Authorizing the lending by the State Highway Department of guard wire to Munday Independent School District.

H. C. R. No. 33, Authorizing adjournment of the House and/or Senate from Thursday, February 6, 1941 to Monday, February 10, 1941.

**Consideration of Senate Bill 70**

Senator Moffett moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee and by the Senate of S. B. No. 70 at any time during the remainder of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—30

Aikin	Brownlee
Beck	Chadick

Cotten	Metcalf
Fain	Moffett
Formby	Moore
Graves	Ramsey
Hazlewood	Shivers
Hill	Smith
Isbell	Spears
Kelley	Stone
Lanning	Sulak
Lemens	Van Zandt
Lovelady	Vick
Martin	Weinert
Mauritz	York

Absent—Excused

Winfield

**Consideration of Senate Bill 71 in Committee**

Senator Chadick moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee of S. B. No. 71 at any time during the remainder of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Winfield

**Senate Bill 42 on Passage to Engrossment**

The President laid before the Senate as postponed business on its passage to engrossment (the bill having been read second time on yesterday):

S. B. No. 42, A bill to be entitled "An Act amending Article 2698 Revised Civil Statutes, providing for the State Superintendent, on recommendation of the Director of School Census, to request the State Board of Education because of public calamity to authorize an increase to cover teacher costs; defining public calamity; limit-

ing amount of scholastic increase to added teachers cost; etc.; and declaring an emergency."

Senator Stone offered the following amendment to the bill:

Amend S. B. No. 42 by adding the following between the words "the" and "scholastics" on line 35 thereof: "additional eligible".

The amendment was adopted.

Senator Metcalfe offered the following amendment to the bill:

Amend S. B. No. 42, by inserting after the word "defense" in line 27 of the printed bill the following: "or by the production of oil, gas or other natural resources necessary in the program of national defense."

WINFIELD,  
METCALFE,  
STONE.

The amendment was adopted.

On motion of Senator Metcalfe, it was ordered that the caption be amended to conform to the body of the bill.

Senator Lovelady offered the following amendment to the bill:

Amend the bill by adding after the period in line thirty-nine the following language: "Provided that no supplement shall be approved for more than the actual cost of instruction at the time of the approval of the supplement plus those amounts which the boards of trustees of the various units concerned shall at the time of said approval contract to spend for teaching salaries."

Question.—Shall the amendment be adopted?

At Ease

On motion of Senator Hill, the Senate, at 11:10 o'clock a. m., agreed to stand at ease to 11:20 o'clock a. m. today.

The President called the Senate to order at 11:20 o'clock a. m., and the Senate resumed consideration of S. B. No. 42.

Senator Lovelady withdrew the pending amendment to the bill.

Senator Lovelady then offered the following amendment to the bill:

Amend S. B. No. 42 by adding at the end of Section 1 the following: "Provided further that such supplemental census shall be taken not later than March 1st of any fiscal year and no adjustment of scholastic apportion-

ment to any district entitled thereto shall be in an amount more than that necessary for the additional expenditures needed to care for the needs of such districts and which shall be approved by the State Department of Education."

LOVELADY,  
VAN ZANDT.

The amendment was adopted.

Senator Lanning offered the following amendment to the bill:

Amend S. B. No. 42 as follows: by adding in line 24, page 1, after the word "thereto," the words "or whose scholastic population is materially increased by" and strike out the word "of" after "thereto."

The amendment was adopted.

The bill as amended then was passed to engrossment.

#### Senate Bill 42 on Third Reading

Senator Metcalfe moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 42 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalfe
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Chadick
Beck	Cotten
Brownlee	Fain

Formby	Moffett
Graves	Moore
Hazlewood	Ramsey
Hill	Shivers
Isbell	Smith
Kelley	Spears
Lanning	Stone
Lemens	Sulak
Lovelady	Van Zandt
Martin	Vick
Mauritz	Weinert
Metcalfe	York

Absent—Excused

Winfield

#### Motion to Reconsider Vote on Senate Bill 36

Senator Spears moved to reconsider the vote by which the Senate on yesterday refused to concur in the House amendments to S. B. No. 36 and asked to have the motion to reconsider spread upon the Journal.

#### Message from the House

The President recognized the Assistant Reading Clerk of the House to present the following message:

Hall of the House of Representatives,  
Austin, Texas,  
February 6, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 72, A bill to be entitled "An Act to validate the organization and creation of all school districts, including common school districts, independent school districts, consolidated common school districts, all county line school districts, including county line common school districts, county line independent school districts, county line consolidated common school districts, county line consolidated independent school districts, rural high school districts, and all other school districts, whether created by General or Special Law or by County Boards of Trustees; providing no transfer of territory is validated by the Act unless authorized by an affirmative vote of the voters in such district, and providing this Act shall not validate the organization or creation of any district, or consolidation or annexation of any district in or to such district where the same is now involved in litigation or where suit or

litigation is filed with reference thereto, within forty-five (45) days after the effective date of this Act; validating the acts of said County Boards of Trustees and Boards of Trustees of such districts; validating all proceedings and acts of said Boards of Trustees; validating all bonds voted, authorized and/or now outstanding of said districts; validating all tax levies made in behalf of said districts; authorizing and empowering all school districts mentioned in this Act to levy, assess, and collect the same rate of taxes as is now being levied, assessed, and collected therein, and heretofore authorized or attempted to be authorized by any act, or acts of said district, or by any Act of the Legislature; making certain exemptions; and declaring an emergency."

With amendments.

The House has concurred in Senate amendments to H. B. No. 45 by a vote of 130 yeas, 4 noes.

Respectfully submitted,

E. R. LINDLEY,  
Chief Clerk, House of Representatives.

#### Report of Standing Committee

Senator Sulak, by unanimous consent, submitted the following report:

Austin, Texas,  
February 6, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Public Health, to whom was referred

S. B. No. 70, A bill to be entitled "An Act to amend Section 8 of H. B. No. 440, Regular Session, Forty-fifth Legislature, Acts of 1937, Chapter 169, providing for the exemption for prescribing, administering, dispensing or selling at retail certain specified medicinal preparations containing small amounts of certain named drugs, etc."

Have had the same under consideration, and am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

SULAK, Chairman.

#### Senate Bill 97 on Second Reading

On motion of Senator Mauritz and by unanimous consent, the regular order of business was suspended, to permit consideration of S. B. No. 97 at this time.



The President laid before the Senate on its second reading and passage to engrossment:

S. B. No. 97, A bill to be entitled "An Act amending Section 9 of Article IV of Chapter 495 of the Acts of the Third Called Session of the Forty-fourth Legislature, as amended by S. B. No. 24, Chapter V, Acts of the Forty-sixth Legislature, so as to exempt instruments, notes, or other obligations taken by or on behalf of State Banking Corporations; and declaring an emergency."

The bill was read second time and was passed to engrossment.

#### Senate Bill 97 on Third Reading

Senator Mauritz moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 97 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Winfield

The President then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—30

Aikin	Hazlewood
Beck	Hill
Brownlee	Isbell
Chadick	Kelley
Cotten	Lanning
Fain	Lemens
Formby	Lovelady
Graves	Martin

Mauritz	Spears
Metcalf	Stone
Moffett	Sulak
Moore	Van Zandt
Ramsey	Vick
Shivers	Weinert
Smith	York

Absent—Excused

Winfield

#### Consideration of Senate Bill 117

Senator Kelley moved that Section 5 of Article 3 of the Constitution be suspended, to allow consideration in committee and by the Senate of S. B. No. 117 at any time during the remainder of the regular session of the Legislature.

The motion prevailed by the following vote:

Yeas—30

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Spears
Hill	Stone
Isbell	Sulak
Kelley	Van Zandt
Lanning	Vick
Lemens	Weinert
Lovelady	York

Absent—Excused

Winfield

#### Conference Committee on Senate Bill 72

Senator Van Zandt called S. B. No. 72 from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

Question.—Shall the Senate concur in the House amendments?

Senator Van Zandt moved that the Senate do not concur in the House amendments and that a conference committee be requested to adjust the differences between the two Houses on the bill.

The motion prevailed.

Accordingly, the President announced the appointment of the following conferees on the bill on the

part of the Senate: Senators Van Zandt, Moore, Lovelady, Vick and Weinert.

### Proposed Joint Rules

(Senate Concurrent Resolution 11)

Senator Metcalfe, by unanimous consent, offered at this time the following resolution:

S. C. R. No. 11, To adopt joint rules.

Be It Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the following shall be the Joint Rules of the House and Senate of the Forty-seventh Legislature:

1. In case of a disagreement between the two houses on a bill, resolution, or other matter, if a request is made for a conference by one house and a committee is appointed for that purpose, and the other house grants the request and appoints a committee to confer, such committee shall, at a convenient hour to be agreed upon by their chairmen, meet in conference and state to each other verbally or in writing, as either shall choose, the positions of their respective houses in regard to the matters in disagreement and confer freely thereon.

2. After either house shall have adhered to its disagreement, a bill, resolution, or other matter shall be lost.

3. When a bill or resolution which shall have passed in one house is rejected in the other, notice thereof is to be given to the house in which the same may have passed.

4. When a message is sent from the Senate to the House of Representatives, it shall be announced at the door of the House by the Doorkeeper, and shall be respectfully communicated to the Chair by the person delivering the same.

The same ceremony shall be observed when a message is sent from the House of Representatives to the Senate.

5. All messages between the houses relating to the passage or rejection of any bill, resolution, or other matter shall be on paper and properly addressed to the presiding officer of the house to which the message is sent, and shall be under the signature of the Secretary of the Senate or the Chief Clerk of the House, as

the case may be. All such messages shall be printed in full in the Journal of the house receiving the same.

6. In the transmission of a bill or resolution from one house to the other, such bill or resolution shall be accompanied by all papers upon which such bill or resolution is founded.

7. When any Senate bill shall be reached upon the calendar or shall be before the Senate for consideration, it shall be the duty of the President to give the place of such bill on the calendar to any House bill which has been referred to and reported from a committee of the Senate, and which is substantially the same as said Senate bill, or to lay such House bill before the Senate to be considered in lieu of such Senate bill.

8. When any House bill shall be reached upon the calendar or shall be before the house for consideration, it shall be the duty of the Speaker to give the place of such bill on the calendar to any Senate bill which has been referred to and reported from a committee of the house, and which is substantially the same as said House bill, or to lay such Senate bill before the house to be considered in lieu of such House bill.

9. No bill shall be considered, unless it has first been referred to a committee and reported thereon, and no bill shall be passed which has not been presented and referred to and reported from a Committee at least three days before the final adjournment of the Legislature. (Constitution, Article III, Section 37.) No vote shall be taken upon the passage of any bill within the last twenty-four hours of the Session, unless it be to correct an error therein.

10. In reckoning the time within which a bill has been introduced, the date of its first introduction in either house shall govern.

11. After a bill shall have passed both houses, it shall be duly enrolled on paper, with all proper endorsements, by the Enrolling Clerk of the House of Representatives or of the Senate, as the bill may have originated in the one or the other house, and properly signed by the presiding officer of each house as required by the Constitution before it shall be presented to the Governor.

12. When bills are enrolled, they may be examined by a joint committee of three members from the Senate and

three members from the House of Representatives, appointed as a standing committee for that purpose, who shall carefully compare the enrollment with the bills as passed in the houses; and carefully correct any errors that may be discovered in the enrolled bills, and make their report forthwith to the respective houses. Said report shall be accompanied by a copy of said bill as a part of said report, which said copy may be typewritten or printed, partly written and printed, or written and partly printed, and, unless it is a local bill, it shall be printed in the Journal of the House to which said report is made.

13. After examination and report, each bill shall be signed in the respective houses, first by the presiding officer of the house in which it originates, then by the presiding officer of the other house, in accordance with Article III, Section 38, of the Constitution.

After a bill shall have been signed in each house, it shall be presented to the Governor for his approbation by the Enrolling Committee of the house in which it originated. The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated.

14. All orders, resolutions and votes which are to be presented to the Governor of the State for his approbation shall also, in the same manner, be previously enrolled, examined and signed, and shall be presented in the same manner and by the same committee as provided in the case of bills.

15. In all elections by joint vote of the two houses of the Legislature, the Senate, upon invitation, will meet the House in its Hall at the hour agreed upon. The President of the Senate shall take a seat at the right of the Speaker, and the Senators shall take seats in front of the Speaker's desk. The Speaker of the House will preside. The names of the Senators shall then be alphabetically called, after which the names of the Representatives shall be called in like manner, and if a quorum of both houses answers to their names, the two houses will proceed with the business for which they have met. The President of the Senate shall first call for nominations by Senators, and the Speaker of the House shall then call

for nominations by Representatives. Nominations being made, the names of the Senators shall be called by the Secretary and their votes recorded by him. The names of the Representatives shall then be called by the Clerk, and their votes recorded by him, and the result shall be handed to and announced by the Speaker. Should a majority be required to elect, and no person receives a majority, the voting shall be repeated until an election is made. After the conclusion of the election for which the two houses have met in joint session, the Senate shall retire to its Chamber and the result of the joint vote shall be entered in the Journal of each house.

16. If a quorum of either house shall fail to attend a joint session, or absent themselves therefrom without the permission of such house, the members of the house so wanting a quorum shall have the right to compel the attendance of the absentees in accordance with its own rules; and, after a reasonable time, if a quorum is not obtained, the joint session may be adjourned by the vote of a majority of the members of either house, which vote shall be taken by the presiding officer of either house, on the motion of any one of its members, without debate.

17. If no choice shall have been made on the first ballot or vote, at any time thereafter the joint session may be adjourned, with or without naming another day for meeting, by a vote of a majority of either house, which vote shall be taken by the presiding officer of either house, on the motion of any one of its members, without debate.

18. In all conferences between the Senate and the House by committee, the number of committeemen from each house shall be five (5), and all votes on matters of differences shall be taken by each committee separately, and it shall require a majority of each committee present concurring upon the matter in dispute to determine it. The reports of all conference committees must be signed by a majority of each committee of the conference.

19. When a bill, joint or concurrent resolution has been defeated in the Senate or in the House (or defeated in a committee of the respective houses), the Secretary of the Senate or the Chief Clerk of the

House, as the case may be, shall immediately notify the other house of the defeat of said bill or resolution and transmit a copy of the caption of such defeated bill or resolution.

20. On calendar Wednesday and Thursday only of each week, House bills on their third and second readings, respectively, shall be taken up and considered in the Senate until disposed of; and in case a House bill should be pending at adjournment on Thursday, it shall go over to the succeeding calendar Wednesday as unfinished business, provided, however, this rule as to such pending business at adjournment on calendar Thursday may be suspended by two-thirds vote of the Senate to permit the continued consideration of such pending business.

21. On calendar Wednesday and Thursday only of each week, Senate bills on their third and second readings, respectively, shall be taken up and considered in the House until disposed of; and in case a Senate bill should be pending at adjournment on Thursday, it shall go over to the succeeding calendar Wednesday as unfinished business; provided, however, this rule as to such pending business at adjournment on calendar Thursday may be suspended by two-thirds vote of the House to permit the continued consideration of such pending business.

The resolution was ordered printed in the Journal and was referred to the Committee on Rules.

#### Reports of Committee on Rules

Senator Metcalfe, by unanimous consent, submitted at this time, the following reports:

Austin, Texas,  
February 5, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred

S. R. No. 21, A resolution providing for certain rules of the Senate.

Have had the same under consideration and do hereby recommend that the same do not pass, but that the committee substitute hereto attached do pass in lieu of the original resolution, and be printed in the Journal.

METCALFE, Chairman.

#### COMMITTEE SUBSTITUTE FOR SENATE RESOLUTION 21

Be It Resolved by the Senate of the State of Texas, That the following Rules Nos. 102, 103, 104, 106 and 107 of the Forty-sixth Legislature, be adopted by the Senate:

#### Time Limit for Introduction and Consideration of Bills

102. It shall be in order to introduce bills during the first 60 calendar days of the session, and to have the same referred to a proper committee; provided, however, that at any time during the session, resolutions, emergency appropriations, emergency matters specifically submitted by the Governor in special messages to the Legislature, and local bills (as defined in Rule 104) may be introduced, referred to a committee, and disposed of under the General Rules of the Senate. The Senate may act upon the appointments (recess or otherwise) at any time during the session.

#### Suspension of Time Limit Rule

103. Except as otherwise provided in Rule 102, no bills shall be introduced after the first sixty calendar days of the session; provided, however, this rule may be suspended by the affirmative vote of four-fifths of the members of the Senate.

#### Introduction and Consideration of Local Bills

104. The constitutional procedure with reference to the introduction, reference to a committee, and the consideration of bills set forth in Article III, Section 5, of the Constitution, shall not apply to local bills hereinafter defined, and the same may be introduced, referred, reported and acted upon at any time under the general rules and order of business of the Senate.

A local bill is defined for the purposes of this rule as an Act the provisions of which relate to or affect directly a defined locality, district or section of the State, and which do not include or require any appropriation out of State funds or which do not affect any state policies, and which do not affect directly the State at large, and the operation of which is confined solely to a particular locality, district or section of the State.

### Suspension of Rule Limiting Consideration of Bills

106. Except as otherwise provided in Rule 102, bills shall not be taken up, considered or acted upon by the Senate during the first sixty calendar days of the session, unless this rule be suspended by the affirmative vote of four-fifths of the members of the Senate.

### Consideration of Bills in Committees

107. It shall be in order for committees to consider bills and resolutions at any time during the session, make reports thereon, and file the same with the Senate.

Austin, Texas,  
February 5, 1941.

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on Rules, to whom was referred

S. R. No. 22, A resolution providing for certain rules of the Senate.

Have had the same under consideration and do hereby recommend that the same do not pass, but that the committee substitute hereto attached do pass in lieu of the original resolution, and be printed in the Journal.

METCALFE, Chairman.

### COMMITTEE SUBSTITUTE FOR SENATE RESOLUTION 22

Be It Resolved by the Senate of the State of Texas, that the Senate Rules of the Forty-fifth Legislature, as amended by the Forty-sixth Legislature, be adopted as the Permanent Rules of the Forty-seventh Legislature, with the following amendments:

4. Upon every roll call the names of the members shall be called alphabetically by surname, except when two or more have the same surname, in which case the name of the county shall be added.

It shall be in order to move a call of the Senate at any time to secure and maintain a quorum for the following purposes:

(a) For the consideration of a specific bill, resolution or other measure.

(b) For a definite period of time or for the consideration of any particular class of bills.

When a call of the Senate is moved for one of the above purposes and

seconded by five members, and ordered by a majority vote of those present, the Doorkeeper shall close the main entrance of the Hall, and all other doors leading out of the Hall shall be locked and no member be permitted to leave the Senate without written permission of the presiding officer until after the subject matter upon which the call was ordered has been disposed of. The Secretary shall call the roll of members and note the absentees and those for whom no sufficient excuse is made may, by order of the majority of those present, be sent for and arrested wherever they may be found, by the Sergeant-at-Arms or officers appointed by him for that purpose, and their attendance secured and retained, and the Senate shall determine upon what conditions they shall be discharged. Members who voluntarily appear shall, unless the Senate otherwise directs, be immediately admitted to the Hall of the Senate, and they shall report their names to the Secretary to be entered upon the Journal as present. Until a quorum appears, should the roll call fail to show one present, no business shall be done except to compel the attendance of absent members or to adjourn.

When a quorum is shown to be present, the Senate may proceed with the matters upon which the call was ordered, or may enforce and await the attendance of as many of the absentees as it desires to have present. If the Senate decides to proceed, the Sergeant-at-Arms shall not be required to bring in other absentees unless so ordered by a majority vote of the Senate.

When a call of the Senate is ordered, as hereinabove authorized, the Hall of the Senate shall be held to include the Senate Chamber, the Sergeant-at-Arms room, the Senate reception room, the Senate Cloak room and the corridors leading thereto.

10. The names of the Senators shall be called alphabetically; should a quorum not be in attendance, a majority of those present shall be authorized to send the Sergeant-at-Arms, or a special messenger, for the absentees; when there is a quorum present, prayer shall be offered by the Chaplain, and then the Journal of the preceding day shall be read and corrected, if necessary.

11. The President then shall call:

(1) For petitions and memorials.

(2) For reports from standing committees.

(3) For reports from select committees.

(4) For Senate Bills on first reading.

(5) For introduction of resolutions.

(6) For messages and executive communications.

(7) For motions to print on minority report.

This concludes the morning call, which the President shall announce to the Senate.

11a. At the conclusion of the morning call, the Senate shall proceed to consider business on the President's table, which shall be disposed of in the following order:

(1) Special orders.

(2) Unfinished business.

(3) Senate Joint Resolutions.

(4) Senate Resolutions.

(5) Senate Concurrent Resolutions.

(6) Senate Bills on third reading.

(7) Senate Bills on second reading.

(8) House Joint Resolutions.

(9) House Bills on third reading.

(10) House Bills on second reading.

(11) House Concurrent Resolutions.

The above order is for Senate Bill days, except as modified by the joint rules.

11b. After the morning call has been concluded on calendar Wednesday and calendar Thursday of each week, House Joint Resolutions and House Bills on special order and on third and second readings, respectively, and House Concurrent Resolutions, shall be taken up and considered until disposed of; provided in case one should be pending at adjournment on Thursday, it shall go over until the succeeding calendar Wednesday as unfinished business.

11c. Any bill, resolution or other measure may, on any day, be made a special order for a future time of the session by an affirmative vote of two-thirds of the members present.

(Note: Rules 11a and 11b of the Forty-fifth and Forty-sixth Legislatures are hereby superseded by the foregoing rules.)

12. A special order shall be considered at the time for which it is set and considered from day to day until disposed of, unless at the time so fixed there is pending business under a special order, but such pend-

ing business may be suspended by a two-thirds vote of all the members present. If a special order is not reached or considered at the time fixed, it shall not lose its place as a special order; provided further that all special orders shall be subject to the joint rules and Senate Rule 11b.

30a. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment or as a substitute for the motion or proposition under debate. (See Constitution, Article III, Sections 30 and 35.)

45. Any member shall have the privilege to have spread upon the Journal of the Senate a brief statement of his reason for any vote he may cast.

62. (a) A vote of two-thirds of all members elected to the Senate shall be required:

(1) For the final passage of amendments to the Constitution. (See Constitution, Article XVII, Section 1.)

(2) In cases of great public calamity to release the payment of taxes. (See Constitution, Article VIII, Section 10.)

(3) For the final passage of bills to reduce a county to a less area than nine hundred square miles. (See Constitution, Article IX, Section 1.)

(4) For the passage of an address to the Governor for the removal of any civil officer. (See Constitution, Article XV, Section 8.)

(5) To expel a member. (See Constitution, Article III, Section 11.)

(b) A vote of two-thirds of all members elected to the Senate shall be required for the passage of House Bills that have been returned by the Governor with his objections, and a vote of two-thirds of the members of the Senate present shall be required for the passage of Senate Bills that have been returned by the Governor with his objections. (See Constitution, Article IV, Section 14.)

(c) A vote of two-thirds of all members present shall be required:

(1) For the impeachment of any officer. (See Constitution, Article XV, Section 3.)

(2) To excuse absentees.

(3) To adopt an amendment at third reading of a bill or joint resolution.

(4) To postpone or change the order of business.

(5) To suspend any rule of the Senate.

(d) A vote of two-thirds of the members present shall be required for the confirmation of any appointee of the Governor, unless otherwise directed by law. (See Constitution, Article IV, Section 12.)

(Note: Rules 62 and 64 of the Forty-fifth and Forty-sixth Legislatures are hereby superseded by the foregoing Rule 62.)

92. Persons hereinafter named, and no other, shall be admitted to the Senate Chamber while the Senate is in session, viz.:

(1) Members of the Senate and their families, Secretary of the Senate and his family, employees of the Senate and House of Representatives when on official business, Representatives, the Governor, his family and his private secretary, the Lieutenant Governor and his family, the President and Vice-President of the United States, United States Senators and members of Congress, Governors of other states, judges of the Supreme Court, the Courts of Criminal and Civil Appeals, duly accredited newspaper reporters and correspondents and radio commentators who have complied with Sections 2 and 3 of this rule. It shall be the special duty of the President to see that officers and employees remain upon the floor of the Senate only when actually engaged in the performance of their official duties. Such persons other than the Lieutenant Governor and members of the Senate shall not be permitted to work for or against any proposition before the Senate while on the floor.

No newspaper reporter, or other person whomsoever, whether a state officer or not, who is lobbying or working for or against any pending or prospective legislative measure, shall in any event be permitted upon the floor of the Senate or in the rooms leading thereto, except the Senate reception room, when the Senate is in session.

(2) While the Senate is in session, no person shall be admitted to the floor of the Senate or allowed its privileges, as a press correspondent or radio commentator, unless said person is a regularly employed, salaried staff correspondent or reporter in the employ of a newspaper publishing general news, or press association

serving newspapers, or publications requiring telegraphic coverage, or unless said person is a regularly employed, salaried employee of a duly licensed radio station.

Any person seeking admission to the floor of the Senate under the foregoing provisions must present to the Committee on Rules fully accredited credentials from his publication, press association, wire service or radio station showing that he is engaged primarily in reporting the sessions of the Legislature while the Legislature is in session. Regularly accredited staff correspondents, or radio commentators, who have duly qualified under the provisions of this rule, may, when requested to do so, make recommendations through their standing committees to the Committee on Rules as to the sufficiency or insufficiency of credentials of any person seeking admission to the floor of the Senate under this rule.

If the Committee on Rules shall determine that such credentials come within the contemplation of this rule, said committee shall so notify the President in writing who shall issue a pass card to such person, and this pass card which shall not be transferable must be presented to the Doorkeeper at all times when said person seeks admission to the Senate while the same is in session. Persons being admitted to the Senate pursuant to the provisions of this rule shall be assigned appropriate and convenient seats in the Senate by the President.

If any person, admitted to the Senate under this rule, shall lobby or work for or against any pending or prospective legislation or shall violate any of the other rules of the Senate, the privileges extended to said person under this rule shall be suspended by a majority of the Committee on Rules. The action of the committee shall be reviewable by the Senate only if two members of the committee request an appeal from the decision of the committee, which appeal shall be in the form of a minority report, and shall be subject to the same rules that are applicable to minority reports on bills. Suspension shall remain in force until the accused person purges himself and comes within the rules or until the Senate, by majority vote, reverses the action of the committee.



(3) Every newspaper reporter and correspondent, and radio commentator, before being admitted to the Senate during its session, shall file with the Committee on Rules a written statement showing the paper or papers which he represents, and certifying that no part of his salary or compensation is paid by any person, firm, corporation or association except the paper or papers or radio station which he represents.

(4) It shall be in order for the President to entertain a request, motion or resolution for the suspension of this rule, or to present from the chair the request of any member for unanimous consent.

(5) At all times, other than morning session, it shall be the duty of the Sergeant-at-Arms and his assistants to clear the Hall of all persons not entitled to the privilege thereof, thirty minutes before the hour of the meeting of the Senate.

(6) Provided that this rule shall not apply to persons who are invited to address the Senate when in session, nor shall it apply to any person who desires to appear before any committee, while going to or returning from the session of said committee, nor to the Governor while delivering an official message; provided further that this rule shall not apply during the inauguration of the Governor and other public ceremonies provided for by resolution of the Senate. All officers and employees of the Senate are prohibited from lobbying in favor of or against any measure or proposition pending before the Senate, and should any officer or employee violate this rule, the same shall be cause for dismissal from the service of the Senate by the President.

(7) Provided further, that the privileges of the floor shall not be extended to any person or persons not members of the Senate, or the Governor, desiring to make an address before the Senate on pending or contemplated legislation.

(8) Solicitors and collectors shall not be admitted to the Senate during its sessions.

93. The President of the Senate shall decide all questions not provided for by the standing Rules of Order of the Senate, and Joint Rules of Order of both branches of the Legislature, according to parliamentary practice,

laid down by approved authors, subject to appeal to the entire Senate, as in other cases.

100. If a motion to report a bill or resolution favorably does not receive a majority vote, the bill or resolution shall be dead. Likewise, if a motion to report a bill or resolution unfavorably receives a majority vote, the same shall be dead. When a bill or resolution has been killed by a committee, a favorable minority report may be made, provided notice thereof is given by two members of the committee, if the committee is composed of ten or less, and three members, if composed of more than ten, present at the time the bill is killed, and who voted on the minority side; this report must be in writing, and signed by the members giving notice, and must be filed with the Senate within two calendar days from the time such action was taken by the committee (Sundays and days the Senate is not in session excepted). Unless one of the members signing the minority report or the sponsor of the bill makes a motion in the Senate to have the same substituted for the majority report within ten calendar days (Sundays and days the Senate is not in session excepted) from the time said minority report was filed with the Senate, said bill or resolution shall be dead, and shall not again be considered during the session. It shall take the affirmative vote of a majority of the members of the Senate present, but in no event less than fifteen affirmative votes, to substitute a minority report for the majority report, provided that any motion to substitute the minority for the majority report shall be privileged.

100a. If a committee substitute is adopted by the committee for the pending bill or resolution, and such substitute receives a favorable report, the same shall be reported back to the Senate in lieu of the original bill or resolution. The original bill or resolution, for which the substitute was adopted, shall be dead unless reported to the Senate and handled under the same procedure as herein provided for minority reports. The substitute, when reported back to the Senate, shall take the same procedure as an original bill or resolution, and no action shall be required on the part of the Senate to confirm the substitution made by the committee.



**Adjournment**

On motion of Senator Weinert, the Senate, at 11:40 o'clock a. m., adjourned until 10:00 o'clock a. m., next Monday, February 10, 1941.

**SIXTEENTH DAY**

(Monday, February 10, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Stevenson.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Beck	Metcalfe
Brownlee	Moffett
Cotten	Moore
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Van Zandt
Kelley	Vick
Lanning	Weinert
Lemens	Winfield
Lovelady	York
Martin	

**Absent—Excused**

Chadick                      Spears

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 6, 1941, was dispensed with and the Journal was approved.

**Leaves of Absence Granted**

Senator Chadick was granted leave of absence for today on account of important business, on motion of Senator Formby.

Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Graves.

**Reports of Standing Committees**

Senator Sulak submitted the following report:

Austin, Texas  
February 10, 1941

Hon. Coke R. Stevenson, President of the Senate:

Sir: We, your Committee on Public Health, to whom was referred S. B. No. 103, A bill to be entitled "An Act to authorize housing authorities to undertake the development or administration of projects to assure the availability of safe and sanitary dwellings for persons engaged in national defense activities who would not otherwise be able to secure such dwellings within the vicinity thereof; to limit the initiation of the development of such projects until December 31, 1943; to authorize housing authorities to cooperate with or act as agent of the Federal Government in the development and administration of such projects of the Federal Government, to acquire or lease such projects and to sell certain projects to the Federal Government; to authorize public bodies to assist such projects of housing authorities and of the Federal Government; to make obligations issued for such projects of housing authorities legal investments and security for deposits; and to declare valid all bonds, notes and obligations of housing authorities issued for projects heretofore undertaken to assure the availability of safe and sanitary dwellings for persons engaged in national-defense activities; and declaring an emergency."

Have had the same under consideration, and I am instructed to report same back to the Senate with the recommendation that it do pass with committee amendment striking out Section 6.

SULAK, Chairman.

Senator Moore submitted the following report:

Austin, Texas  
February 6, 1941

Hon. Coke R. Stevenson, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

S. B. No. 91, A bill to be entitled "An Act to declare and recognize for all tax purposes post, camp or unit exchanges established and operated